

CONSERVATION COMMISSION

MINUTES (Approved 10/8/08)

SEPTEMBER 24, 2008

Present: J. Wiley, Chairman
A. Goetz, Vice Chairman
B. Dyer, R. Turner, R. Jones, K. Phelps (7:20)

Also Present: L. Hershey, Conservation Agent
P. Smith, Board Secretary

Conservation Agent report given to members

MEETING OPENED: 7:01

CERTIFICATE OF COMPLIANCE

**MILLBROOK AVE #75
DEP# 315-857**

**Mr. Dyer made the motion to approve and issue a Certificate of Compliance
Ms. Goetz seconded the motion
Vote- 3-0-1 (Mr. Jones abstained)**

**SOUTH ST REPAIR
DEP# 315-910**

**Mr. Goetz made the motion to approve and issue a Certificate of Compliance
Ms. Dyer seconded the motion
Vote: 4-0-0**

**DAISY DR. #19
DEP# 315-860**

**Mr. Goetz made the motion to approve and issue a Certificate of Compliance
Ms. Dyer seconded the motion
Vote: 4-0-0**

EXTENSION

WISTERIA WAYS II

DEP# 315-424

Mr. Goetz made the motion to issue a one-year extension for Wisteria Ways II

Ms. Dyer seconded the motion

Vote: 3-0-1 (Mr. Jones abstained)

CERTIFICATE OF COMPLIANCE

Mill POND RD. #21

DEP# 315-796

The commission reviewed and discussed improvements to be made to this property with Mr. Clayton, the owner.

The portion of the 100 –foot riparian zone that was cleared to put in lawn shall be replanted with oak or pine trees, 10 feet on center.

A split rail fence at the limit of clearing and following the buffer zone line shall be put in place.

No alteration signs shall be placed on the split rail fence.

All other work was completed as shown on the as-built plan

Mr. Goetz made the motion to approve and issue a Certificate of Compliance

Ms. Dyer seconded the motion

Vote: 4-0-1 (Mr. Jones abstained)

PUBLIC HEARING

NOTICE OF INTENT

WASHINGTON ST. LOT 1 #112 (clock Tower)

(HOLLINGSWORTH & VOSE CO.)

DEP# 315-928

Opened: 7:30

Mr. Wiley read the advertisement from the Walpole Times

Attorney Phil Macchi and John Anderson, Anderson and Associates were present representing the applicant Hollingsworth and Vose Co.

Mr. Wiley read board comments

Attorney Phil Macchi stated this filing is for the proposed construction of a 3-story mixed use (office, retail & 10 residential units) building with a 6400 sf. footprint. This construction would require 8500 s.f. alteration within the 200' riverfront area.

Mr. Anderson stated this construction is a combination of re-development within previously developed riverfront area and new construction of a parking area within the riverfront. He also stated the proposed project was designed to comply with the new stormwater management standards. Mr. Anderson explained that stormwater runoff from impervious areas would be captured and piped to an infiltration system under the proposed parking area. He discussed the infiltration system in his stormwater report. A summary was given to the commission with the history of the site as well.

A site construction sequence was discussed including siltation control with haybales and crushed stone access, and the construction of a retaining wall

Ms. Hershey stated she has reviewed the plan and discussed it with the Town Engineer. She was satisfied as far as conservation and stormwater issues are concerned. The commission requested a construction sequence plan be submitted

Ms. Phelps discussed soils and stated the commission should have documentation of a NPDES permit for our records that should be included in the Order of Conditions.

Mr. Anderson stated test pits were completed and the Town Engineer was present. He also stated the Town Engineer is satisfied with drainage concerns.

Mr. Goetz discussed the stormwater system and overflow. He stated he is happy to see the site redeveloped.

Mr. Wiley discussed the rate of runoff

Mr. Goetz made the motion to close the Public Hearing

Ms. Dyer seconded the motion

Vote: 5-0-0

Closed: 8:20

The commission discussed special conditions

Documentation of a NPDES permit shall be submitted to the Commission

A construction sequencing plan shall be provided prior to commencement of work

The O & M program that was submitted in the Notice of Intent shall be included in the Order of conditions

A copy of the maintenance log shall bi-annually be submitted to the commission

Mr. Goetz made the motion to approve and issue an Order of Conditions

Mr. Jones seconded the motion

Vote: 5-0-0

**CONT. PUBLIC HEARING
WASHINGTON ST. #161
DEP #315-929**

Opened: 8:30

Mr. Wiley read the advertisement from the Walpole times for the Continued Public Hearing of 161 Washington St.

Mr. Wiley read a letter that was submitted from the applicants' representative requesting the Public Hearing be continued to a later date.

Mr. Goetz made the motion to continue the Public Hearing until October 8, 2008 at 7:30

Ms. Dyer seconded the motion

Vote: 5-0-0

FRONTIER DR. #18

Mr. Goetz made the motion to go into Executive Session at 8:30 p.m. to discuss pending litigation regarding Frontier Dr.

Ms. Dyer seconded the motion. Vote: 5-0-0

The chairman asked for a roll call vote

Mr. Goetz – aye; Mr. Wiley – aye; Ms. Phelps – aye; Ms. Dyer- aye; Mr. Jones - aye

The board went into executive session at 8:30 p.m. and will come back into regular session

Mr. Goetz moved to come out of executive session

Ms. Dyer seconded the motion

Vote: 5-0-0

The chairman asked for a roll call vote

Mr. Goetz – aye; Ms. Phelps – aye; Ms. Dyer – aye; Mr. Wiley- aye; Mr. Jones – aye

Time: 8:55

FRONTIER DR. #18

The Commission discussed a letter submitted from Attorney Hailer of Lawson & Weitzen, LLP for the request for an amendment of the Order of Conditions Pursuant to DEP policy #85-4. DEP# 315-726 Lot 18 Frontier Dr.

The commission discussed the request and Mr. Wiley stated this could be reviewed as an amendment. A public hearing including notification to abutters and advertising would be required.

Ms. Phelps wanted it noted for the record that she is upset that the applicant has filed a lawsuit against the Conservation Commission simultaneously with the request for the amendment.

**Mr. Goetz made the motion to accept the request for an amendment as above noted
Ms. Phelps seconded the motion; Vote: 5-0-0**

Mr. Jones left the meeting at 9:00 p.m.

MINUTES

AUGUST 13, 2008

**Mr. Goetz made the motion to approve and accept the minutes of August 13, 2008
Ms. Dyer seconded the motion; Vote: 3-0-1 (Ms. Phelps abstained)**

SEPTEMBER 10, 2008

**Mr. Goetz made the motion to approve and accept the minutes of 9/ 10/0 8
Ms. Dyer seconded the motion; Vote: 3-0-1 (Ms. Phelps abstained)**

OTHER BUSINESS

Plimptonville Crossing

The commission discussed minor revisions that have been approved by the Planning Board and have no affect on conservation issues.

Routine Work Order DEP# 315-683

108 Kendall St.

The commission discussed a routine work order for the removal of a dead pine tree located at 108 Kendall St.

Falcone Property Land Donation

The commission discussed the donation of a portion of property that was part of an agreement with the Falcone's and the Town. The commission discussed outstanding work that needs to be completed and is requesting an updated deed

The following Correspondence discussed and available for review

- Baker Hughes – 100 Neponset St.
- RTM packets
- Open Space Committee

Mr. Goetz made the motion to adjourn; Ms. Phelps seconded the motion

Closed: 9:30